

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,  
v.  
BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,  
Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,  
v.  
ALBERT H. SMALL,  
Defendant.

Adv. Pro. No. 10-05186 (SMB)

**STIPULATION EXTENDING TIME TO CONCLUDE MEDIATION**

This Stipulation Extending Time to Conclude Mediation (“Stipulation”) is submitted pursuant to the Bankruptcy Court’s Order entered November 10, 2010 (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (“Case Management Procedures Order”).

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned herein, that the time by which the Parties must conclude mediation in the above-captioned case is extended up to and including December 15, 2014.

The purpose of this Stipulation is to provide additional time for the Parties to resolve this matter through the mediation process as contemplated under the Case Management Procedures Order.

Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have, and entry into this Stipulation shall not impair or otherwise affect such rights and defenses, including without limitation any defenses based on lack of jurisdiction.

This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

**[THIS PORTION IS INTENTIONALLY LEFT BLANK]**

Dated: November 19, 2014  
New York, New York

By: /s/ Nicholas J. Cremona  
**BAKER & HOSTETLER LLP**  
45 Rockefeller Plaza  
New York, New York 10111  
Telephone: (212) 589-4200  
Facsimile: (212) 589-4201  
David J. Sheehan  
Email: dsheehan@bakerlaw.com  
Marc E. Hirschfield  
Email: mhirschfield@bakerlaw.com  
Nicholas J. Cremona  
Email: ncremona@bakerlaw.com

*Attorneys for Irving H. Picard, Trustee for the  
Substantively Consolidated SIPA Liquidation of  
Bernard L. Madoff Investment Securities LLC and  
Bernard L. Madoff*

Dated: November 19, 2014  
New York, New York

By: /s/ Edward A. Smith  
**VENABLE LLP**  
1270 Avenue of the Americas  
Rockefeller Center  
New York, New York 10020  
Telephone: (212) 983-3850  
Facsimile: (212) 307-5598  
Edward A. Smith  
Email: easmith@Venable.com  
Vincent E. Verrocchio (*pro hac vice* pending)  
Email: veverrocchio@Venable.com

*Attorneys for Defendant Albert H. Small*

Dated: November 19, 2014  
New York, New York

By: /s/ Stuart Hirshfield  
**STUART HIRSHFIELD**  
P. O. Box 127  
Stockbridge, MA 01262-0127  
Telephone: (917) 886-7324  
Facsimile: (413) 298-5478  
SHirshfield1@gmail.com

*Mediator*